

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 85-209-T - ORDER NO. 95-1657 ✓  
NOVEMBER 6, 1995

IN RE: Request of J & C Moving and Storage,	)	ORDER GRANTING
Inc., P. O. Box 70941, Charleston,	)	REQUEST TO AMEND
SC 29414 to Amend Present Rates on	)	RATES AND DENYING
File with the Commission.	)	DISCOUNT OF HOURLY
	)	RATES, LABOR, OR
	)	TRAVEL TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of J & C Moving and Storage, Inc. (the Applicant) to amend its present rates on file with the Commission.

The Applicant filed with the Commission an individual tariff of rates and charges. The applicant was formerly a member of the now defunct Motor Truck Rate Bureau. The Commission Staff (Staff) reviewed the tariff and informed the Commission that the Applicant's tariff was similar to the tariff of the South Carolina Tariff Bureau in that the Applicant's tariff contained similar general rules, regulations, and prices. However, the Staff noted differences in certain rates and charges in the Applicant's tariff than were in the tariff of the South Carolina Tariff Bureau. The Staff also noted that the tariff of the Applicant contained a clause which allows the Applicant to "discount hourly rates or to charge less than the minimum labor and/or travel time."

Upon consideration of this matter and the applicable law, the

Commission finds and concludes that the rates as filed by the Applicant in its tariff are just and reasonable and should be approved. However, the Commission believes and so finds that the clause which allows the Applicant to discount hourly rates and to charge less than the minimum labor and travel time should not be approved (See, Note B on p. 26 of the tariff). The Regulations of the Commission prohibit a motor carrier from making, giving, or causing an undue preference and from making any allowance to any person or shipper. The Regulations also proscribe a motor carrier from charging, collecting, demanding, or receiving either greater, lesser, or different compensation than the rates, fares and charges specified in the tariff. The Commission therefore believes that the clause which allows the Applicant to make discounts or to charge less than the minimum of certain charges in the tariff should not be approved.

IT IS THEREFORE ORDERED THAT:

1. The rates as filed by the Applicant should be approved.
2. The clause which allows the Applicant to discount hourly rates and to charge less than the minimum labor and travel time is not approved.
3. The Applicant shall file with the Commission a tariff which reflects the findings of this Order within 30 days of receipt of this Order, or within such other time as may be specified by the Commission.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)